

# Fire Industry Alliance – AFSPAB Scheme Code of Conduct

## Overview

1. This Code of Conduct (Code) sets out the minimum standard of conduct, competence, integrity, and professionalism expected and required from Fire System Practitioners (FSPs) endorsed by the Fire Industry Alliance – AFSPAB Scheme (Scheme) (*previously* AFSPAB – the Australian Fire Safety Practitioner’s Accreditation Board), and Trainees registered under the Scheme.
2. This Code applies to FSPs endorsed by the Scheme and all Trainees registered under the Scheme.
3. All FSPs and Trainees are required to comply with this Code and all Scheme Policies and Procedures. Compliance must be with both the specific principles and with the spirit of these principles. It should not be narrowly interpreted or used to justify conduct otherwise taken to be unethical or contrary to this Code as defined by any reasonable person.
4. References in this Code to ‘Trainee’ and ‘Supervisor’ are defined as set out in the *Fire Industry Alliance – AFSPAB Scheme Trainee Registration Framework*.

## Statement of Ethics

5. Fire Protection is an essential part of the Building and Construction Industry; and the Australian community depends on the Fire Protection Industry to help keep them safe. Community safety is in part dependent on Industry’s professionalism, integrity, and quality of work. Scheme-endorsed FSPs and registered Trainees are responsible to their community to observe high standards of conduct and ethical behaviour during the course of their work.

6. Scheme-endorsed FSPs and Trainees set an example for practitioners in the Building and Construction Industry, and the community generally; and their conduct and behaviour should reflect the reputable nature of the Fire Protection Industry.
7. It is essential that FSPs endorsed by the Scheme and Trainees registered under the Scheme:
  - a. ensure that public safety, health and welfare is paramount in all practices;
  - b. perform only high-quality work that complies with all relevant Codes and Standards;
  - c. always ensure their work adheres to all relevant State and Federal regulations, codes, standards, and requirements;
  - d. ensure their work satisfies needs of consumers and maintains public safety;
  - e. advise their employer and/ or clients, and relevant authorities (including regulatory authorities and others such as the relevant Building Surveyor, for example) if they become aware of conditions that threaten the present or future safety, health or welfare of the public;
  - f. consider the consequences of their work and societal issues pertinent to it and shall seek to extend public understanding of those relationships;
  - g. perform professional services only within the scope of their endorsement/registration, for which they are authorised to perform, and after full disclosure of their pertinent qualifications;
  - h. be honest and truthful in presenting data and estimates, professional opinions, and conclusions, and in their public statements dealing with

- professional matters and shall not engage in improper solicitation of employment or contracts;
- i. comply with all relevant confidentiality and privacy requirements;
  - j. remain reasonably up to date with the latest technological advancements and trends in Australia and around the world;
  - k. be honest, transparent and avoid misleading representations in all advertising;
  - l. seek to protect and educate others on the importance of skilled and trained businesses and workers in the Fire Protection Industry;
  - m. act with a level of professionalism that reflects well upon and enhances the Fire Protection Industry;
  - n. ensure that all dealings and work uphold the reputation of the Fire Industry Alliance and the Scheme;
  - o. promote their Scheme endorsement in all practical ways possible;
  - p. provide information on non-compliant work or genuine misconduct to the relevant Regulator or other relevant entity or person, and if that work has been performed by an FSP endorsed by the Scheme, also report the non-compliant work or genuine misconduct to the Scheme;
  - q. adhere to Scheme Policies and Procedures; and
  - r. immediately report to the Scheme any disciplinary action or investigations brought against them by any Associations or regulatory bodies.

## Standards of Conduct & Professionalism

8. FSPs and Trainees must:

- a. for Practitioners, always be covered by Professional Indemnity Insurance and Public Liability Insurance for the work they perform in their role as an FSP and for all work performed in the Fire Protection Industry;
- b. for Trainees, always be covered by appropriate Public Liability Insurance for the work they perform in their role as a Trainee and for all work performed in the Fire Protection Industry;
- c. comply with the Statement of Ethics;
- d. act in accordance with the public interest;
- e. not take action that would compromise the health, safety, or welfare of any person, or the amenity of any person's property;
  - i. as part of this obligation, FSPs and Trainees must, among other things:
    1. comply with all applicable occupational health and safety legislation, regulations, guidelines, procedures, and other obligations;
    2. be aware of, and report, any potential hazards within their knowledge;
    3. report all accidents, incidents and near misses to relevant parties;
    4. take all reasonable steps to obtain all relevant facts when performing work pursuant to their endorsement or registration;
    5. ensure all decisions and actions are reasonably justified; and

6. carry out inspections in person;
- f. have knowledge, familiarity, and understanding of:
    - i. the legislation that applies to the categories and classes for which they are accredited;
    - ii. the professional responsibilities of the category and class in which they are accredited;
  - g. operate within the law and comply with:
    - i. the National Construction Code of Australia, and all other applicable Codes;
    - ii. all legislative and regulatory obligations;
    - iii. applicable Australian Standards;
    - iv. all lawful and reasonable directions and determinations by the Scheme;
  - h. constantly improve their knowledge and skills in the field of fire safety, and maintain a satisfactory level of competence, including by undertaking continuous professional development;
  - i. perform their duties competently and within the required level of expertise and experience;
  - j. only perform work within the scope of their endorsement/registration, for which they are authorised to perform, and to a high standard;
  - k. participate openly and honestly in any Scheme complaint and disciplinary procedures involving themselves;
  - l. take reasonable steps to ensure that any person they have engaged to undertake or assist with the work only performs work for which they

are authorised to perform, and that they perform that work to a reasonable standard;

m. refrain from:

- i. conduct which is dishonest, unethical, false, corrupt, criminal, misleading, deceptive, unconscionable, anticompetitive, or which is otherwise improper or brings the practice of fire safety into dispute;
  - ii. engaging in false, misleading, or deceptive conduct;
  - iii. acting outside the scope of their registration(s), licence(s), endorsement(s) and certification(s);
  - iv. associating or engaging with any other individual or company that engages in unethical, improper, or illegal methods to obtain business;
  - v. conduct which could otherwise bring the Fire Protection Industry into disrepute; and
  - vi. exerting undue influence, intimidating, bullying, harassing or pressuring any person;
- n. undertake their responsibilities with appropriate professionalism and conform to reasonable standards of acceptable behaviour while undertaking work for which they are accredited;
- o. act independently and with integrity, honesty, objectivity, and impartiality, including by:
- i. being open, fair and transparent in all their dealings;
  - ii. being polite, courteous, appropriate and professional in all their dealings;

- iii. avoiding situations that a reasonable person may conclude has or could compromise their impartiality or professional judgement;
  - iv. identify and manage any conflict of interest or significant risk of a conflict of interest;
  - v. avoiding conflicts of interest and not act where there is a conflict of interest or a significant risk of a conflict of interest;
  - vi. not performing certification work on systems installed by their direct employer or any entity where they have a pecuniary interest;
  - vii. not performing certification work on systems for which they were substantially involved in the system's design, or where they otherwise take responsibility for the system's design, in whole or in part;
- p. exercise due care, skill and diligence in the discharge of their duties to the community;
- q. not disclose confidential information acquired in the course of their professional work except where consent has been obtained or where there exists a legal or professional duty to;
- r. not use information acquired in the course of their professional work for their personal advantage or that of a third party;
- s. identify in their reports who the report is being prepared for or on behalf of;
- t. not allow for their name to be attached to a report where they did not themselves conduct the inspection;

- u. communicate relevant aspects of the work to all parties involved promptly and effectively;
  - v. reply to professional correspondence and enquiries expeditiously;
  - w. address any issues of non-compliance promptly upon becoming aware;
  - x. comply with a reasonable request of a client, legislative/ regulatory body, or other relevant parties (including, for example, local government, fire authorities, workplace health and safety authority, or the Australian Competition and Consumer Commission);
  - y. adopt and promote a cooperative (non-adversarial) approach and communicate honestly in all relationships and business dealings in all combinations and at all levels;
  - z. be objective, impartial, and free of any perceived, potential, or actual conflict of interest in the performance of their professional duties;
  - aa. not at any time engage in any business or occupation which may create a conflict of interest in rendering services to a client, or which is detrimental to the public good or the dignity of the profession to which they belong;
  - bb. hold and maintain any license, registration, certification, or endorsement required by law; and
  - cc. not knowingly or intentionally facilitate FSP 'shopping' for a favourable certification outcome.
9. FSPs who are nominated Trainee Supervisors must:
- a. exercise due care and diligence in supervising Trainees; and
  - b. notify the Scheme immediately upon ceasing their role as a Supervisor for a Trainee.

10. Trainees must at all times comply with the conditions of their registration as set out in the *Fire Industry Alliance – AFSPAB Scheme Trainee Registration Framework*, including to not perform any work except while directly supervised by their nominated Supervisor.

## Breach of Code of Conduct

11. The performance of FSPs and Trainees will be measured against this Code.
12. A breach of the Code may result in disciplinary action being taken, pursuant to the Complaints, Appeals & Disciplinary Procedure. As appropriate, the Scheme will review the endorsement/registration of, and may take disciplinary action against, any FSP or Trainee who fails to comply with this Code.
13. In the event that an FSP or Trainee has a number of complaint(s) made against them in any 12-month period, the Scheme may require them to appear before the Administrative Committee to discuss their conduct and endorsement.

## Limitations

14. The Code does not create any legal right of redress for a person making a complaint against an FSP or Trainee.
15. The Fire Industry Alliance does not accept any responsibility for the conduct of FSPs or Trainees. All FSPs/Trainees are chosen through commercial practices and are selected entirely at the risk of the person engaging their services.
16. If any clause of this Code is inconsistent with any applicable legislative or regulatory provision, the clause is inoperative to the extent of the inconsistency.

## Further Information

17. For further information or clarification on this Code of Conduct, please email [AFSPAB@firealliance.com.au](mailto:AFSPAB@firealliance.com.au).

## Document Version & Approval

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